RE. HB 494

Persons signing online (www.montanasubdivision.com) the following Petition statement. When signers added comments, these can be identified, below, using the number in the last column.

Petition to the 2011 Montana Legislature

demonstrates that Title 76 must be amended and clarified. Nothing in this petition suggests that subdivision review may not The undersigned hereby petition the 2011 legislature to eliminate the subdivision for rent or lease language and provisions ownership of the room and therefore is not a subdivision of land or property and should not require subdivision review. fact that some counties in Montana interpret the law in this way and that this interpretation has been judged to be legal, be appropriate in cases where structures or portions of parcels are actually being sold and exchange of title is occurring. from MCA 76 (Subdivision and Platting Act). Renting a room in a separate building is not a transfer of possession or

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					corresponding
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Comment number, keyed to persons listed above

Comment

- 3 This MUST be corrected! Montana's small businesses need to be protected!
- 5 I am aware of the "subdivision" issue facing Dunrovin Ranch. They are a wonderful business which helps;

I know there are other small businesses of this type which need to be encouraged in their entrpreneural efforts rather than be discouraged. I believe the regulations, if enforced will encourage more property development, because small businesses like this will be forced to sell. These businesses employ local workers just as developers do, but they are generally more beneficial to the state Of Montana as a whole because of their reputation and entrepreneural efforts with tourism.

also enjoy the benefits Dunrovin Ranch offers to our community on various levels.

- 5 This current law needs to be changed to stop the inappropriate interpretation and implemtation of it.
- Clearly this law should be changed. It has evolved (in practice) to enforce circumstances that were never intended. Zoning is very important in all areas of Montana, but zoning should be regulated by zoning laws. I've not ever been made aware of such a misuse of a law or it's (hopefully)unintended consequences on a legitimate business.
- 11 A law that needs to be changed.
- 12 It is ludicrous to me that this is even an issue in the State of Montana and the USA. I believe this is another example of personal property rights and individual freedoms gradually being seized for the "good of the masses" by elitist, self proclaimed intellectuals who's goal is the socialization of our Nation. I do indeed ask that the 2011 Montana Legislature rectify the language of MCA 76. If one rents a room in their home or in another building on their property, it certainly should not be considered a subdivision of land!

Comment

- I know the litigant homeowner in Lewis & Clark County. The only thing that costs more than subdivision review is suing the County when they come up with inadequate legal positions.
 I will support the interpretation you seek. You should know that there are landowners who have tried 99 year leases as a way to avoid subdivision review by calling it renting. I don't think most people will support that interpretation of renting.
- 23 Good job on the website. Good luck with Maclaren .
- Thanks for all of your hard work and public outreach on this matter. I would not want to be on the receiving end of an adverse interpretation of this matter, as you guys have been. A key issue, it seems to me, is the "rent or lease" provision in the statute which, hopefully, will be eliminated. Renting or leasing is not subdividing. It intent of the statute is to prevent unscrupulous rape-and-pillaging; it wasn't intended to micromanage citizen's lawful and productive uses of their properties. Equally important, these interpretations defy common sense which should be at the basis of reasonable public policy. One thing to keep in mind is that people at OPG are looking for billable hours in order to keep their jobs in these slow times. Allowing them to interpret vague laws and rulings without a clear directive enables them to do that. Hopefully, common sense will prevail. Keep me posted and good luck. joesurveyor@yahoo.com
- 30 This is a most absurd proposal and attempts to address a situation in a fashion that has little to do with the actual problem in place.
- 31 This could drastically effect our guest ranches, outfitters and vacation rentals. These are part of the backbone of our tourism industry.
- I do not believe the original bill was intended to be used in the way it is now being used by Missoula County. It is taking away all personal property rights fron land owners. The ridiculous fees charged for subdivision review is a totally unfair burden on land owners rights.
- 38 I think this is a very bad aplication of this law, and very bad for busines.
- $\underline{40}$ Seems clear enough. Don't penalize land owners.
- 41 Please make these changes.
- 42 Change it.

Comment number, keyed to persons listed above

Comment

- 48 Please pass this legislation and stop killing the lively hoods of the citizens of Ravalli County and Montana.
- 51 I wholly agree that renting a room, or having an existing cabin or other structure, on one piece of land, and then renting out that room or cabin, is NOT a subdivision -- no land is being subdivided off for sale. The whole idea of forcing rentals into the time consuming and expensive process of subdivision review makes no sense, is anti-business and, more importantly, anti-family. PLEASE ELIMINATE the "subdivision for rent or lease" language and provisions from MCA 76.
- I live next door to Bill Derick and have a legislater living at my lake house during the session. I have already asked him to support this. Just let me know how I can help.
- 54 I need a copy of the bill to read. Please send to me asap
- Subdivision laws and regulations are important: we need them. But the current interpretation of the law is nuts, so I support the wording of this petition, and urge the legislature to make a reasonable fix.
- 57 Our government is keeping Montanas from becoming the economicly sound.

The undersigned hereby petition the 2011 legislature to eliminate the subdivision for rent or lease language and provisions from MCA 76 (Subdivision and Platting Act). Renting a room in a separate building is not a transfer of possession or ownership of the room and therefore is not a subdivision of land or property and should not require subdivision review. The fact that some counties in Montana interpret the law in this way and that this interpretation has been judged to be legal, demonstrates that Title 76 must be amended and clarified. Nothing in this petition suggests that subdivision review may not be appropriate in cases where structures or portions of parcels are actually being sold and exchange of title is occurring.

		(*) Provide if you informed of legisl other developments	_
Your Name	Address & city or town	Email address*	Phone number*
Kathryn Cotnoir	P.O. Box 349 Frenchtown	cotnoirkaaolice	(406) m 529-9521
Ed Pichardon	16250 Roma Back Rd Frenchoun		626-4737
Kid Fischer	1545 57th St Wort Missoule		
HAYLEY NEWMAN	Bux 2894 Msus 59806		
Ben Deeble	2475 Humble RD. Msla 59804		
Que D coggs	5680 Pinewood Lane Myla		
Molatt			(114)393-6300
In tree	107 W. HALMARY	galardol@nwf.og FRAKE CANT.ONE	406-396 508
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		1 ' '	u wish to be kept lative hearings and
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U	MISSOULA, MT 59803		406-721-0448
Quaith a Hagan	710 Continental Way		
	Missoula, MT 59803		406-721-044

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		(*) Provide if you informed of legisl other developments	wish to be kept ative hearings and
Your Name	Address & city or town	Email address*	Phone number*
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	4360 US 93 N. Stevensville, M 870 N Burnt Fork Rd Stevensville, mT 239 Ranch House Trail Flotence, mt. 59833		527-9316
Glenda Edgeworth	870 N Burnt Fork Rd Stevensville, mT		777-3932
WILLIAM HESTER	Flotence, mt. 59833	WSHESTOVE COM	777-2376
Judy Kime	313 KOOTENA; CKRd STEVENSVILLE, MT 1275 WESTERN SKIES 2 STEVENS VILLE 59870	Judy bob bob @ grmailicon lilya @ geosei Com	370-4727
LILYM MAJISTE	2 STEVENS VILLE 59870	lilya @ SEOJEI	207-7630
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		informed of legisla	_
		other developments	and mourings und
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NORME KRESSOM	22016LACIDA CRISTIRA	KRUT 310elAone	~ 754.0121
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DANIET NMAR CUMPRAIS		OMNMAEIN 50 OMONJUNA COM	154-230
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RICK FEROUSON	1470 STONER LAKE Rd	VICKjumpleyalus.	
Pam Forder	POBOX 1096, Condon, MT	Conden fam 60 Consonponto	
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		other developments	ative nearnigs and
Your Name	Address & city or town	Email address*	Phone number*
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Mary Hock	hanton Conton Rand A 858 Groff Lane, Shere	nhacked washle Shevensule	Mt 777-32
Jarry Mach	#858CROFFLANESTEVI		777-321
DEAN J. MART	1119 HERITAGE DRIVE	StEVENSVILLE	777-1595
Sawd C. Burnha	m 575 Country Club Lane, Ham		363-5675
John Rughese	114 Note Age Dacky	PalewolfleSon	10,60m F21-022.
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		1	wish to be kept
		informed of legisla	ative hearings and
		other developments	
Your Name	Address & city or town	Email address*	Phone number*
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Sondelfor hill	258 Grein Pork War Candy		254-2749
Homest Harlon -	POBOX 1340 Condon, MT. 5982	6 torland Golden	nit 754-247
Elsabeth Spittiers	P.O. Box 135 Swan Valley 4T		754-3137
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